

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA	:	
v.	:	CRIMINAL NO. 16-130
CHARLES M. HALLINAN	:	
WHEELER K. NEFF		

ORDER

AND NOW, this ____ day of _____, 2018, it is hereby ORDERED that the government's motion to compel defendant Charles M. Hallinan to cooperate with the Probation Department is **GRANTED**.

It is hereby **ORDERED** that by **March 8, 2018**, defendant Hallinan must provide the Probation Department with completed personal financial statements and all other information requested by the Probation Department in its preparation a draft Presentence Investigation Report.

BY THE COURT:

HONORABLE EDUARDO C. ROBRENO
Judge, United States District Court

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**GOVERNMENT'S MOTION TO COMPEL DEFENDANT
HALLINAN TO COOPERATE WITH THE PROBATION DEPARTMENT**

The United States of America, through its attorneys, Louis D. Lappen, United States Attorney, and Mark B. Dubnoff and James A. Petkun, Assistant United States Attorneys, hereby moves to compel defendant Charles M. Hallinan to cooperate with the Probation Department, including by providing information about his financial condition. In support of this motion, the government avers as follows.

1. On November 27, 2017, a federal jury convicted defendant Hallinan of all 17 crimes with which he had been charged in a superseding indictment. ECF No. 314.

2. This Court scheduled Hallinan's sentencing for April 19, 2018. ECF No. 314. This Court also directed the United States Probation Department to prepare a Presentence Investigation Report ("PSR"). Pursuant to Rule 32(e)(2), the Probation Officer must provide a draft PSR to Hallinan, Hallinan's counsel, and government counsel at least 35 days before Hallinan's sentencing hearing: i.e., March 15, 2018. Fed. R. Crim. P. 32(e)(2).

3. Among the information that "must" be contained in this PSR are information about "the defendant's financial condition," Fed. R. Crim. P. 32(d)(2)(A)(ii), and "when the law provides for restitution, information sufficient for a restitution order." Fed. R. Crim. P. 32(d)(2)(D).

4. The Probation Officer, however, has told the government that Hallinan is refusing to provide any information about his finances. Apparently, Hallinan, with counsel present, told the Probation Officer that he would not complete the personal financial statements that are standard for every defendant undergoing a PSR.

5. By this motion, the government is seeking an order compelling defendant Hallinan to provide the Probation Department with completed financial forms no later than March 8, 2018, so that the department may comply with Rule 32 and provide the parties and counsel with a comprehensive draft PSR by the March 15, 2018 deadline.

WHEREFORE, for all the foregoing reasons, the government respectfully submits that its motion to compel defendant Hallinan to cooperate with the Probation Department should be granted.

Respectfully submitted,

LOUIS D. LAPPEN
United States Attorney

/s/ Mark B. Dubnoff
MARK B. DUBNOFF
JAMES A. PETKUN
Assistant United States Attorneys

CERTIFICATE OF SERVICE

I certify that a copy of the foregoing was served by email and/or ECF, the Court's electronic case filing system, upon:

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DATE: February 27, 2018